

Lynn S. Walsh, OSB #924955  
email: [lynn@lynnwalshlaw.com](mailto:lynn@lynnwalshlaw.com)  
610 SW Alder St., #415  
Portland, Oregon 97205  
Telephone: 503-790-2772  
Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

J.B.,

Plaintiff,

vs.

LEVI GRAY et al.,

Defendants.

NO. 3:23-cv-01962-CL

DECLARATION OF LYNN S.  
WALSH IN SUPPORT OF MOTION  
FOR LEAVE TO FILE THE FIRST  
AMENDED COMPLAINT

I, Lynn S. Walsh, declare as follows pursuant to 28 USC§1746:

1. I represent the plaintiff in the above-captioned matter. I have personal knowledge of the information contained in this declaration. If called upon to do so, I could and would competently testify regarding the matters set forth herein.
2. This declaration is made in support of plaintiff's Motion for Leave to File the First Amended Complaint.
3. The parties have engaged in significant discovery with over 14,000 pages of documents and videos having been produced by the State Defendants. Plaintiff has learned many

additional facts and thus seeks to amend the Complaint to add David Gonzalez and the State of Oregon as defendants, dismiss John Doe and Mike Reese from the case, and to add numerous facts that were revealed during discovery. The statute of limitations has not yet run as to any claim or party.

4. A copy of the proposed First Amended Complaint and the Compare Report were sent to defense counsel Matthew Maile and Nathan Riemersma on January 24, 2025. I conferred with Matthew Maile, attorney for the State defendants, by telephone on both January 30, 2025 and February 7, 2025. The State defendants do not oppose the motion. Mr. Maile further indicated that the State had not yet decided whether to waive 11<sup>th</sup> Amendment immunity and would make that decision before filing an Answer to the First Amended Complaint.
5. I emailed Mr. Gray a copy of the proposed First Amended Complaint and the markups on January 27, 2025. He responded with a very lengthy email containing his version of events, and some very angry language directed towards me, much of it in all capital letters, including: “You are clueless,” “YOU ARE A SICK PERSON,” “SHAME ON YOU,” and “YOU NEED TO APOLOGIZE TO ME AND STOP; DEMONIZING ME AND SMEARING MY NAME [sic].” His email also included an offensive comment regarding plaintiff.
6. On January 28, 2025 I sent Mr. Gray an email stating that I construed his prior email as an objection and requested a time to confer by telephone. He responded with an email that stated “I do oppose it and you are violating Rule 11.”

7. In light of the hostility and the Rule 11 accusation, my co-counsel and I made the decision to cease communicating with Mr. Gray. Mr. Gray did attempt to call me several days later and left a voicemail, but he did not provide a time for me to call him, and stated he could not use his cell while at work.
8. This motion is made in good faith and not for the purpose of delay.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 11, 2025 at White Salmon, WA.

/s/ Lynn S. Walsh  
Lynn S. Walsh, OSB #92495  
Attorney for plaintiff

CERTIFICATE OF SERVICE

I certify that I mailed via first class mail and email the following DECLARATION OF LYNN S. WALSH IN SUPPORT OF MOTION FOR LEAVE TO FILE THE FIRST AMENDED COMPLAINT on February 12, 2025 to the following individuals:

Levi Gray  
2232 SE Pine St. #7  
Portland, OR 97214  
[levvus007@gmail.com](mailto:levvus007@gmail.com)

/s/ Lynn S. Walsh  
Lynn S. Walsh, OSB #924955  
Attorney for plaintiff